

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE
PLAYERS' CONCUSSION INJURY LITIGATION

No. 2:12-md-02323-AB
MDL No. 2323

Kevin Turner and Shawn Wooden, on behalf
of themselves and others similarly situated,

Plaintiffs,

v.

National Football League and NFL Properties, LLC,
successor-in-interest to NFL Properties, Inc.,

Defendants.

THIS DOCUMENT RELATES TO:
McCorvey Law, LLC v. Reginald Nelson
Attorney Lien Dispute
(Doc. No. 7217)

EXPLANATION AND ORDER

DAVID R. STRAWBRIDGE
UNITED STATES MAGISTRATE JUDGE

July 17, 2019

Before the Court is a Petition to Establish Attorney's Lien ("Lien") seeking attorney's fees and costs from any Monetary Claim to be paid to Settlement Class Member Reginald Nelson ("Mr. Nelson"), which was filed on February 27, 2017 by McCorvey Law, LLC ("McCorvey"). (Doc. No. 7217). On February 13, 2018, the Claims Administrator issued a Notice of Lien to Mr. Nelson's current counsel, Berkowitz and Hanna LLC ("Berkowitz"). The Claims Administrator also issued a Post-Appeal Notice of Monetary Award Claim Determination on February 12, 2019 based upon the claim filed by Berkowitz.

The District Court referred all Petitions for individual attorney's liens to this Magistrate Judge. (Doc. No. 7746). Rules Governing Attorneys' Liens ("Rules") were adopted on March 6, 2018 and amended on October 3, 2018. (Doc. Nos. 9760 and 10283). Pursuant to Rule 12,

McCorvey and Berkowitz (the “Parties”) were advised of their right to consent to have the Magistrate Judge issue a final Order to resolve this Dispute. The Parties have consented to jurisdiction by a Magistrate Judge. (Doc. No. 10610.) Accordingly, this Opinion will serve as the final decision of the Court concerning this dispute.

Following a Settlement Conference presided over by Magistrate Judge Timothy R. Rice, this Attorney Lien Dispute has been resolved to the satisfaction of the Parties and a Withdrawal of Attorney’s Lien Dispute (the “Withdrawal”) has been submitted to this Court. Having reviewed the Record, we are also satisfied that the Withdrawal is a reasonable resolution of this matter.

Accordingly, we conclude that the Withdrawal shall be granted. The Claims Administrator is ordered to distribute the withheld funds for attorneys’ fees and costs to Berkowitz and the attorneys’ fees to McCorvey, as was set forth in the Withdrawal.¹

¹ Pursuant to the Court’s Order Regarding Withholdings for Common Benefit Fund (Doc. No. 10104), 5% of the Award is currently being held in the Attorney’s Fees Qualified Settlement Fund, where it must remain until further order of the Court. The Claims Administrator will ensure that if any portion of those funds are later released they will be paid pursuant to the agreed terms in the Withdrawal.

AND NOW, this 17th day of July, 2019, it is **ORDERED** that:

1. The Withdrawal of the Lien Dispute is **GRANTED**; and
2. The Claims Administrator is **ORDERED** to disburse the withheld funds in accordance with this decision, the provisions of the Settlement Agreement, and all Court Orders regarding implementation.

BY THE COURT:

/s/ David R. Strawbridge, USMJ
DAVID R. STRAWBRIDGE
UNITED STATES MAGISTRATE JUDGE